



**CENTRAL  
HAWKE'S BAY**  
DISTRICT COUNCIL

# Council Meeting Agenda

Thursday, 13 June 2024

9.00am

Council Chambers,  
28-32 Ruataniwha Street, Waipawa

*Together we thrive! E ora ngātahi ana!*

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- 1 **WELCOME/ KARAKIA/ NOTICES**
- 2 **APOLOGIES**
- 3 **DECLARATIONS OF CONFLICTS OF INTEREST**
- 4 **STANDING ORDERS**

**RECOMMENDATION**

That the following standing orders are suspended for the duration of the meeting:

- **21.2** Time limits on speakers
- **21.5** Members may speak only once
- **21.6** Limits on number of speakers

And that Option C under section 22 *General Procedures for Speaking and Moving Motions* be used for the meeting.

Standing orders are recommended to be suspended to enable members to engage in discussion in a free and frank manner.

**5 CONFIRMATION OF MINUTES**

Ordinary Council Meeting – 18 April 2024.

Three Year Plan 2024-2027 Submissions Hearing Council meeting – 22 May 2024.

Ordinary Council Meeting – 23 May 2024.

Three Year Plan 2024-2027 Deliberations Council Meeting – 30 May 2024.

**RECOMMENDATION**

That the following minutes as circulated, be confirmed as true and correct:

1. Ordinary Council Meeting – 18 April 2024.
2. Three Year Plan 2024-2027 Submissions Hearing Council meeting – 22 May 2024.
3. Ordinary Council Meeting – 23 May 2024.
4. Three Year Plan 2024-2027 Deliberations Council Meeting – 30 May 2024.



**MINUTES OF CENTRAL HAWKES BAY DISTRICT COUNCIL  
COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBER, 28-32 RUATANIWHA STREET, WAIPAWA  
ON THURSDAY, 18 APRIL 2024 AT 9.00AM**

**UNCONFIRMED**

**PRESENT:** Mayor Alex Walker  
Deputy Mayor Kelly Annand  
Cr Pip Burne  
Cr Jerry Greer  
Cr Gerard Minehan  
Cr Brent Muggeridge  
Cr Kate Taylor

**IN ATTENDANCE:** Doug Tate (Chief Executive)  
Dennise Elers (Group Manager Community Partnerships)  
Dylan Muggeridge (Group Manager Strategic Planning & Development)  
Phillip Stroud (Acting Group Manager Community Infrastructure and  
Development)

Sarah Crysell (Communications & Engagement Manager)  
Sam Broughton (LGNZ President) *(online)*  
Susan Freeman (LGNZ) *(online)*  
Riley Kupa (Recovery Manager)  
Debbie Northe (Community Connections Manager)  
Annelie Roets (Governance Lead)

**6 KARAKIA**

Her Worship, The Mayor Alex Walker welcomed everyone to the meeting and opened with a karakia.

**7 APOLOGIES**

**RESOLVED: 24.1**

Moved: Cr Jerry Greer  
Seconded: Cr Kate Taylor

**That apologies from Cr Tim Aitken and Cr Exham Wichman be received and accepted.**

**CARRIED**

**8 DECLARATIONS OF CONFLICTS OF INTEREST**

There were no Declarations of Conflicts of Interest declared.

**9 STANDING ORDERS**

**RESOLVED: 24.2**

Moved: Deputy Mayor Kelly Annand  
Seconded: Cr Kate Taylor

That the following standing orders are suspended for the duration of the meeting:

- 21.2 Time limits on speakers

- 21.5 Members may speak only once
- 21.6 Limits on number of speakers

And that Option C under section 21 General procedures for speaking and moving motions be used for the meeting.

Standing orders are recommended to be suspended to enable members to engage in discussion in a free and frank manner.

**CARRIED**

## **10 CONFIRMATION OF MINUTES**

### **RESOLVED: 24.3**

Moved: Cr Gerard Minehan

Seconded: Cr Pip Burne

**That the minutes of the Extraordinary Council Meeting held on 10 April 2024 as circulated, be confirmed as true and correct.**

**CARRIED**

Correction: As Cr Tim Aitken was noted as an apology, that the “attendance list” on the front page be amended to reflect this.

## **11 REPORTS FROM COMMITTEES**

No reports.

## **12 REPORT SECTION**

### **7.1 RESOLUTION MONITORING REPORT**

#### **PURPOSE**

The purpose of this report is to present to Council the Resolution Monitoring Report. This report seeks to ensure Council has visibility over work that is progressing, following resolutions from Council.

### **RESOLVED: 24.4**

Moved: Cr Kate Taylor

Seconded: Cr Jerry Greer

**That the report be noted.**

**CARRIED**

The report was introduced by Doug Tate which was taken as read.

### **7.2 CYCLONE GABRIELLE - RECOVERY UPDATE**

#### **PURPOSE**

The purpose of this report is to provide a bi-monthly formal update on progress on the recovery from Cyclone Gabrielle against the key four priorities and issues identified for the district through its Tamatea – Central Hawke’s Bay Cyclone Gabrielle Recovery and Resilience Plan.

**RESOLVED: 24.5**

Moved: Cr Gerard Minehan

Seconded: Cr Kate Taylor

**That the report be noted.****CARRIED**

Riley Kupa and Debbie Northe introduced the report which was taken as read, however gave brief update on 2 specific projects namely (1) Porangahau and (2) Community Well-being and Resilience.

Porangahau:

- A meeting has been confirmed for Monday, 22 April at Rongomaraeroa marae, specifically to discuss the proposed flood mitigation scheme and categorisation process.
- There is a lack of flood protection on the southern side of the river – an opportunity to discuss those issues further with marae specifically and a wider community meeting is planned for 30 April.

Community Well-being and Resilience:

- A key focus for the recovery team has been community preparedness and resilience, more specifically the development of community resilience plans as well as the establishing of community emergency hubs.
- Conversations ongoing with community in how to be better prepared for future events.
- 15 Emergency hubs have been identified in Central Hawke's Bay, including 3 marae.
- The Paul Hunter Centre confirmed as a dedicated hub for our disabled community.

Roading Recovery:

- On 9 April CHBDC has received confirmation from Waka Kotahi that an additional \$9.5m has been granted for emergency response funding.
- These funds needs to be spent before end June 2024.
- Officers are rapidly working to plan and procure contractors to be able to spend the \$9.5m before end of June 2024.
- To date the team has procured around \$8.7m to specific sites/tasks. There are two procurement items in Public Excluded session today for consideration specifically around the construction contract on one specific site and the other items is for the procurement of professional services with our consultant partners, Stantec.
- Ben Swinburne gave an update on the Stormwater activities.

**7.3 REPORTS FROM JOINT COMMITTEES JANUARY - MARCH 2024****PURPOSE**

This report presents the minutes of the following Joint Committee for Council's noting:

1. 15 March 2024 – Regional Transport Committee minutes.
2. 25 March 2024 – Hawke's Bay CDEM Group Joint Committee minutes.

**RESOLVED: 24.6**

Moved: Cr Pip Burne  
Seconded: Cr Brent Muggeridge

**That:**

1. **The Minutes from the Regional Transport Committee held on 15 March 2024 be received.**
2. **The Minutes from the Hawke's Bay CDEM Group Joint Committee held on 25 March 2024 be received.**

**CARRIED****7.4 RISK AND ASSURANCE COMMITTEE RISK REPORT TO COUNCIL****PURPOSE**

The purpose of this report is to provide visibility to Council of active risks that officers have reported to the Risk & Assurance Committee, that have trending outside of the risk appetite of Council for two quarters or more.

**RESOLVED: 24.7**

Moved: Deputy Mayor Kelly Annand  
Seconded: Cr Kate Taylor

**That the report be noted.****CARRIED**

The report was introduced by Nicola Bousfield who gave a brief overview and risks trending outside of the risk appetite of Council. Discussions noted:

- This is the first report to Council reporting on the top risks identified that were also presented to the R&A Committee earlier.
- One of the outcomes from the Risk Maturity review was "how to report risks to the council".
- The risks identified are typical risks trending outside of the risk appetite for two quarters or more to report up to the Council table.
- Ms Bousfield explained each risk identified and gave a brief overview on the current status of each risk.

**7.6 LOCAL GOVERNMENT NEW ZEALAND (LGNZ) FOUR-MONTHLY REPORT FOR MEMBERS: NOVEMBER 2023 – FEBRUARY 2024****PURPOSE**

The purpose of this report is to present the Local Government New Zealand (LGNZ) Four Monthly Report for Member Councils to Council for its noting for the period of July – October 2023.

**RESOLVED: 24.8**

Moved: Cr Kate Taylor  
Seconded: Cr Pip Burne

**That the report be noted.****CARRIED**

The Mayor welcomes Susan Freeman and Sam Broughton (LGNZ) who spoke on the 4 monthly



LGNZ report. Discussions noted.

- Acknowledges mana whenua, the Mayor, The Chief Executive and Councillors for their exceptional leadership over the last 18 months through the weather events.
- Particular pressures across Councils in New Zealand due to high inflation and other factors. Need national conversation about funding.
- Rates account for more than half of council funding (+/- 52% on average).
- Councils costs have increased significantly over the years. Infometrics provided data on these costs.
- Essential infrastructure costs, specifically Systems for Water & Sewerage (28%), Transport ways (27%), Civil Construction (27 %), Capital Goods Price index (26%), Commercial Buildings (25 %), Non-residential Buildings (25 %).
- Bridges are 38 % more expensive to build than three years ago, with Roads and water supply systems by 27%, Sewerage systems by 30%.
- New challenges bring new costs such as climate change, transitioning to a low carbon economy, infrastructure demands, tourism growths and emerging biosecurity threats.
- Most councils are at a point where sweating assets or underinvesting in new assets would impact on services.
- Councils have taken on debt to fund infrastructure investment and now are paying huge interest costs.
- With additional council responsibilities and stronger standards coupled with reduced funding levers are making the situation harder.
- Infometrics have done some analysis on how much kiwis pay in rates compared to tax – estimates an average Kiwi household pays around \$2,900 a year in rates and \$37,000 in tax.
- Local Government owns and operates more than 25% of NZ's Infrastructure assets. Local Government invests in \$3,8billion in Infrastructure per year.
- LGNZ is advocating for levers individual councils can choose to use i.e
  - An accommodation levies.
  - GST sharing on new builds.
  - Congestion charging.
  - Tourism levies etc.
- Shifting the burden of rates into a new way of funding.
- LGNZ would be keen to hear from council on how we should pay for infrastructure.
- Key part is to have a national conversation around rates pressure, noticing that communities are much more aware of what those pressures are.

## 7.5 THREE YEAR PLAN 2024-2027 UPDATE

### PURPOSE

The purpose of this report is to provide a general update on the Three Year Plan 2024–2027 programme overall and progress underway.

### RESOLVED: 24.9

Moved: Mayor Alex Walker

Seconded: Cr Gerard Minehan

**That the report be noted.**

**CARRIED**

The report was introduced by Doug Tate which was taken as read.

- To date, 31 submissions have been received and expecting more to come.
- Tonight, The Mayor and Councillors will have a live Facebook Q&A session tonight to address issues and concerns public may have.
- Noting council's timeline in terms of engagement events over the coming weeks and the

remainder of the LTP program.

### 13 CHIEF EXECUTIVE REPORT

No report.

### 9 DATE OF NEXT MEETING

#### RESOLVED: 24.10

Moved: Deputy Mayor Kelly Annand

Seconded: Cr Jerry Greer

**That the next meeting of the Central Hawke's Bay District Council be held on 22 May 2024.**

**CARRIED**

### 10 PUBLIC EXCLUDED BUSINESS

#### RESOLUTION TO EXCLUDE THE PUBLIC

#### RESOLVED: 24.11

Moved: Cr Kate Taylor

Seconded: Cr Pip Burne

That the public be excluded from the following parts of the proceedings of this meeting.

The general subject matter of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48 of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
<b>10.1 - Public Excluded Resolution Monitoring Report</b>	<p>s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p> <p>s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
<b>10.2 - District Plan Key Project Status Report</b>	s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons,	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to

	<p>including that of deceased natural persons</p> <p>s7(2)(c)(ii) - the withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely otherwise to damage the public interest</p> <p>s7(2)(f)(i) - free and frank expression of opinions by or between or to members or officers or employees of any local authority</p>	<p>result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7</p>
<p><b>10.3 - Land Transport Cyclone Gabrielle Recovery Professional Services Contract Variation</b></p>	<p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p> <p>s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	<p>s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7</p>

**CARRIED**

**RESOLVED: 24.12**

Moved: Cr Kate Taylor  
 Seconded: Cr Pip Burne

**That Council moves into Public Excluded Business at 10.32am.**

**CARRIED**

The meeting adjourned for morning tea at 10.32am and reconvened in Public Excluded at 11.00am.

**RESOLVED: 24.13**

Moved: Cr Pip Burne  
 Seconded: Deputy Mayor Kelly Annand

**That Council moves out of Public Excluded Business at 12.01pm.**

**CARRIED**

**11 TIME OF CLOSURE**

The Meeting closed at 12.02pm.

**The minutes of this meeting will be confirmed at the next Ordinary Council meeting to be held on 22 May 2024.**

.....  
**CHAIRPERSON**

**MINUTES OF CENTRAL HAWKES BAY DISTRICT COUNCIL  
COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBER, 28-32 RUATANIWHA STREET, WAIPAWA  
ON WEDNESDAY, 22 MAY 2024 AT 9.00AM**

**UNCONFIRMED**

**PRESENT:** Mayor Alex Walker  
Deputy Mayor Kelly Annand  
Cr Tim Aitken  
Cr Pip Burne  
Cr Jerry Greer  
Cr Gerard Minehan  
Cr Brent Muggeridge  
Cr Kate Taylor  
Cr Exham Wichman

**IN ATTENDANCE:** Doug Tate (Chief Executive)  
Dennise Elers (Group Manager Community Partnerships)  
Dylan Muggeridge (Group Manager Strategic Planning & Development)  
Phillip Stroud (Acting Group Manager Community Infrastructure and  
Development)

Sarah Crysell (Communications & Engagement Manager)  
Lisa Harrison (LTP Programme Manager)  
Bridgett Bennett (Community and Strategic Group Coordinator)  
Annelie Roets (Governance Lead)

**14 KARAKIA**

Her Worship, The Mayor Alex Walker welcomed everyone to the meeting and Cr Kate Taylor opened with a karakia

**15 APOLOGIES**

There were no apologies received.

**16 DECLARATIONS OF CONFLICTS OF INTEREST**

There were no Declarations of Conflicts of Interest declared.

**17 STANDING ORDERS**

**RESOLVED: 24.14**

Moved: Cr Kate Taylor  
Seconded: Cr Exham Wichman

That the following standing orders are suspended for the duration of the meeting:

- 21.2 Time limits on speakers
- 21.5 Members may speak only once
- 21.6 Limits on number of speakers

And that Option C under section 21 General procedures for speaking and moving motions be used

for the meeting.

Standing orders are recommended to be suspended to enable members to engage in discussion in a free and frank manner.

**CARRIED**

## **18 CONFIRMATION OF MINUTES**

### **RECOMMENDATION**

That the minutes of the Ordinary Council Meeting held on 18 April 2024 will be confirmed at the next Council meeting on 13 June 2024.

## **19 REPORTS FROM COMMITTEES**

No reports.

## **20 REPORT SECTION**

### **7.1 SUBMISSIONS ON THE THREE YEAR PLAN 2024-2027**

#### **PURPOSE**

The purpose of this report is to present submissions to the Three Year Plan 2024–2027 to Council for their consideration.

#### **RESOLVED: 24.15**

Moved: Cr Gerard Minehan

Seconded: Cr Kate Taylor

- 1. That the submissions on the Three Year Plan 2024–2027 be received.**
- 2. That late submissions referred to in Attachment 4 are received.**
- 3. That Council thank submitters for taking the time to provide feedback to the Three Year Plan process and thank them for their submissions.**

**CARRIED**

The report was introduced by Mayor Alex Walker who welcomed those in attendance to speak today. Councillors heard from the following submitters:

- **9.05am – Ian Sharp, Submitter #149.**
- **9.12am – Sharron Hales, Submitter #45.**
- **9.22am – Catherine Pedersen, Submitter #237 & #250.**
- **9.32am – Crystal Lau, Cancer Society #255.**

*The meeting adjourned at 9.43am and reconvened at 10.37am.*

- **10.38am – Sharleen Baird, Submitter #155.**
- **10.45am – Will Foley, Submitter #274.**
- **10.56am – Roy Fraser, Rotary River Pathway Trust, Submitter #254, #258 & #259.**
- **11.04am – Cara Keane, CHB Older Persons Network, Submitter #227.**
- **11.19am – Catherine Stonehouse, HB Netball Centre Inc, Submitter #272.**

- 11.31am – Sir Graeme Avery, HB Community Fitness Centre Trust, Submitter #186 & #256.
- 11.50am – Ryan Hambleton, Sport HB, Submitter #L1.
- 12.07pm – Simon Baker, Health NZ – Te Whatu Ora, Submitter #257.
- 12.17pm – Dianne Smith, Submitter #240.
- 12.23pm – Rūma Toru, Argyll East School, Submitter #260.
- 12.30pm – Diane FitzGerald, Submitter #243.

*The meeting adjourned at 12.37pm and reconvened at 1.07pm.*

- 1.08pm – Jim Galloway & Rhea Dasent, Federated Farmers, Submitter #262.
- 1.27pm – Gerard Pain, Submitter #L3.
- Councillors will have the opportunity tomorrow to discuss the Three Year Plan submissions. Councillors might want to consider additional materials to consider on 30 May at the Deliberations Council meeting.

## 21 CHIEF EXECUTIVE REPORT

No report.

## 22 PUBLIC EXCLUDED BUSINESS

No Public Excluded Business.

## 23 DATE OF NEXT MEETING

### RESOLVED: 24.16

Moved: Cr Pip Burne

Seconded: Cr Exham Wichman

**That the next meeting of the Central Hawke's Bay District Council be held on 23 May 2024.**

**CARRIED**

## 24 TIME OF CLOSURE

The Meeting closed at 1.34pm.

**The minutes of this meeting will be confirmed at the 13 June 2024 Council meeting.**

.....  
**CHAIRPERSON**





**MINUTES OF CENTRAL HAWKES BAY DISTRICT COUNCIL  
COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBER, 28-32 RUATANIWHA STREET, WAIPAWA  
ON THURSDAY, 23 MAY 2024 AT 9.00AM**

**UNCONFIRMED**

**PRESENT:** Mayor Alex Walker  
Deputy Mayor Kelly Annand  
Cr Tim Aitken  
Cr Pip Burne  
Cr Jerry Greer  
Cr Gerard Minehan  
Cr Brent Muggeridge  
Cr Exham Wichman  
Cr Kate Taylor

**IN ATTENDANCE:** Doug Tate (Chief Executive)  
Nicola Bousfield (Group Manager People and Business Enablement)  
Brent Chamberlain (Chief Financial Officer)  
Dennise Elers (Group Manager Community Partnerships)  
Dylan Muggeridge (Group Manager Strategic Planning & Development)  
Phillip Stroud (Acting Group Manager Community Infrastructure and  
Development)  
Reuben George (Director Projects & Programmes)  
Lisa Harrison (LTP Programme Manager)  
Sasha D'Ath (Economic Development Manager)  
Annelie Roets (Governance Lead)

**25 KARAKIA**

Her Worship, The Mayor Alex Walker welcomed everyone to the meeting and Cr Kate Taylor opened with a karakia.

**26 APOLOGIES**

There were no apologies received.

**27 DECLARATIONS OF CONFLICTS OF INTEREST**

There were no Declarations of Conflict of Interest received.

**28 STANDING ORDERS**

**RESOLVED: 24.17**

Moved: Cr Pip Burne  
Seconded: Cr Jerry Greer

That the following standing orders are suspended for the duration of the meeting:

- 21.2 Time limits on speakers
- 21.5 Members may speak only once

- **21.6** Limits on number of speakers

And that Option C under section 21 General procedures for speaking and moving motions be used for the meeting.

Standing orders are recommended to be suspended to enable members to engage in discussion in a free and frank manner.

**CARRIED**

## **29 CONFIRMATION OF MINUTES**

### **RESOLVED: 24.18**

**The minutes of the Ordinary Council Meeting held on 18 April and 22 May 2024 will be confirmed at the Ordinary Council meeting to be held 13 June 2024.**

**CARRIED**

## **30 REPORTS FROM COMMITTEES**

There were no reports received.

## **31 REPORT SECTION**

### **7.1 RESOLUTION MONITORING REPORT**

#### **PURPOSE**

The purpose of this report is to present to Council the Resolution Monitoring Report. This report seeks to ensure Council has visibility over work that is progressing, following resolutions from Council.

### **RESOLVED: 24.19**

Moved: Cr Kate Taylor

Seconded: Cr Jerry Greer

**That the report be noted.**

**CARRIED**

The report was introduced by Doug Tate which was taken as read.

- An update on Better-Off Funding in relation to Harker Street requested. Press release will go out today. Bit of work on the stormwater pipe under the road to work on. Work on progress will be communicated to public next week.
- Snap-send-solve: More visibility over this. To be discussed on Item 8.1 Organisation Report later in the agenda.

## 7.2 CYCLONE GABRIELLE - ROADING RECOVERY UPDATE

### PURPOSE

The purpose of this report is to provide an update to the Council on the Land Transport Recovery programme and the work undertaken during April 2024. This update is provided within the attached Road to Recovery Key Programme Status Report.

### RESOLVED: 24.20

Moved: Cr Kate Taylor  
Seconded: Cr Exham Wichman

**That the report be noted.**

**CARRIED**

Reuben George provided a brief summary on the progress made across the program. Further discussions noted:

- Additional \$9m funding received from Waka Kotahi.
- Construction has started on 4 sites with procurement in progress for various others.
- A further 4 repairs have also been completed with work ongoing at sites like Gwavas and Douglas Cutting Bridges on track for completion before the 30 June 2024 deadline.
- Focus remains on progressing construction on current and upcoming sites within funding deadlines.
- Aim to further develop non-construction activities such as resource consenting and our multi-criteria analysis.
- Progress has been made in selecting preferred design options for recovery sites.

## 7.3 THIRD QUARTER FINANCIAL RESULTS FOR THE 2023/2024 FINANCIAL YEAR

### PURPOSE

The purpose of this report is to provide Council with visibility of how Council's finances are tracking for the first six months of the 2023–2024 financial year.

### RESOLVED: 24.21

Moved: Cr Gerard Minehan  
Seconded: Cr Brent Mugeridge

**That the report be noted.**

**CARRIED**

The report was introduced by Brent Chamberlain which was taken as read. Key highlights noted:

- Financials heavily influenced by the cyclone recovery particularly in roading.
- Financials may appear well ahead of budgets, but this is due to extra funds received for emergency roading works from Waka Kotahi.
- Business as usual revenue is actually down on budget, specifically in fees and charges, resource consents and building consents and solid waste areas.
- Largest driver of the revenue shortfall is volume.
- A purposeful slowdown in capital work, which shows the lower than budgeted capital expenditure, the lack of new debt being drawn, and the maturity of the last of the investment bonds Council held.
- In April, Council had to refinance a \$10m fixed loan which came off a 2.19% pa interest rate and was replaced with a 5.47% pa loan.
- Also, Council entered into its first interest rate swap which doesn't start until 2026 but runs

through to 2029 and locks in an effective interest rate for \$10m at 3.91% pa.

#### **7.4 FEES AND CHARGES 2024-2025**

##### **PURPOSE**

The matter for consideration by Council is the adoption of the Fees and Charges for 2024–2025.

##### **RESOLVED: 24.22**

Moved: Cr Pip Burne

Seconded: Cr Gerard Minehan

- 1. That the Council adopts the Fees and Charges for the financial year dated 2024–2025 as set out in Attachment 1.**
- 2. That Council gives notice pursuant to Section 103 of the Local Government Act 2002 of its intention to prescribe the fees payable for the period 1 July 2024 to 30 June 2025 in respect of certificates, authorities, approvals, consents, and services given or inspections made by the Council under the Local Government Act 2002, the Building Act 2004, the Building (Infringement Offences, Fees, and Forms) Regulations 2007, the Amusement Devices Regulations 1978, the Resource Management Act 1991, Health (Registration of Premises) Regulations 1966, Sale and Supply of Alcohol (Fees) Regulations 2013, the Gambling Act 2003, the Burial and Cremation Act 1964, and the Central Hawke's Bay District Council Bylaws as set out in the Fees and Charges Schedule 2024-2025.**

**CARRIED**

The report was introduced by Brent Chamberlain with discussions noting:

- Sets out what Council's proposed fees and charges are for the coming financial year of 2024/25.
- These are fees and charges that had been built into the assumptions contained in the Three Year Plan 2024-2027 which will come into effect from 1 July 2024.
- Majority of fees and charges are inflationary adjustments.
- Some prices reflect legislative changes i.e parking offences and Waste Minimisation levy.
- Most significant changes are Solid Waste, Room Hire (Libraries & Community Facilities), Resource management and Trade Waste.

#### **7.5 THREE YEAR PLAN 2024-2027 UPDATE**

##### **PURPOSE**

The purpose of this report is to provide an update on the Three Year Plan 2024–2027, focused on next steps following on from hearing of submissions on 22 May 2024, and in preparation of deliberations being held on 30 May 2024

##### **RESOLVED: 24.23**

Moved: Cr Exham Wichman

Seconded: Cr Kate Taylor

**That the report be noted.**

**CARRIED**

Lisa Harrison introduced the report which was taken as read. Further discussions noted.

- Council had its submissions hearing yesterday and officers are in the process in finalising their deliberation reports for the 30 May Council meeting.
- Councillors discussed the Three Year Plan key topics and provided feedback on each topic for

consideration in the deliberations reports.

## **7.6 REPORTS FROM JOINT COMMITTEES JANUARY - MARCH 2024**

### **PURPOSE**

This report presents the minutes of the following Joint Committee for Council's noting:

1. 11 March 2024 – Climate Action Joint Committee minutes.

### **RESOLVED: 24.24**

Moved: Cr Kate Taylor

Seconded: Cr Pip Burne

**That the Minutes from the Climate Action Joint Committee held on 11 March 2024 be received.**

**CARRIED**

The report was taken as read.

## **7.7 HAWKE'S BAY CIVIL DEFENCE AND EMERGENCY MANAGEMENT GROUP RESPONSE TO CYCLONE GABRIELLE INDEPENDENT REVIEW**

### **PURPOSE**

The purpose of this report is to provide background and an overview of the scope, procurement processes and methodology for the completion of the independent review of the Hawke's Bay Civil Defence Emergency Management Group's response to Cyclone Gabrielle (the review), the key findings from the review and, importantly, the next steps for the initial implementation of the review recommendations.

### **RESOLVED: 24.25**

Moved: Cr Kate Taylor

Seconded: Cr Gerard Minehan

1. **That Council receives the Hawke's Bay Civil Defence and Emergency Management Group response to Cyclone Gabrielle independent review.**
2. **That Council is committed to working regionally and locally to ensure that the learnings and recommendations from the review are implemented.**

**CARRIED**

Dennise Elers introduced the report was taken as read.

*The meeting adjourned for morning tea at 10.45am and reconvened at 11.05am.*

## 7.8 REGIONAL ECONOMIC DEVELOPMENT AGENCY - LETTER OF EXPECTATION

### PURPOSE

The matter for consideration by the Council is to consider and provide feedback on the Hawke's Bay Regional Economic Development Agency (HBREDA) draft Letter of Expectations (LOE) and to delegate to the Mayor to advocate on behalf of Central Hawke's Bay at the Matariki Governance Group on finalising this LOE.

### RESOLVED: 24.26

Moved: Cr Exham Wichman

Seconded: Deputy Mayor Kelly Annand

1. **That Council notes the draft Letter of Expectations for the Hawke's Bay Regional Development Agency for the six months from 1 July 2024 to 31 December 2024.**
2. **That Council delegates authority to Mayor Walker to advocate on behalf of Central Hawke's Bay in her role on the Matariki Governance Group to finalise this Letter of Expectations.**

**CARRIED**

The report was introduced by Sasha D'Ath which was taken as read.

## 32 CHIEF EXECUTIVE REPORT

### 8.1 THIRD QUARTER ORGANISATION REPORT JANUARY - MARCH 2024

#### PURPOSE

The purpose of this report is to present to Council the Third Quarter Organisation report from 1 January – 31 March 2024.

### RESOLVED: 24.27

Moved: Cr Kate Taylor

Seconded: Cr Pip Burne

**That the Third Quarter Organisation Report (January – March 2024) be noted.**

**CARRIED**

Doug Tate introduced the report which was taken as read.

## 9 DATE OF NEXT MEETING

### RECOMMENDATION

Moved: Cr Annand

Seconded: Cr Exham Wichman

**That the next meeting of the Central Hawke's Bay District Council be held on 30 May 2024.**

**CARRIED**

**10 PUBLIC EXCLUDED BUSINESS****RESOLUTION TO EXCLUDE THE PUBLIC****RESOLVED: 24.28**

Moved: Cr Tim Aitken

Seconded: Cr Brent Muggeridge

That the public be excluded from the following parts of the proceedings of this meeting.

The general subject matter of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48 of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
<b>10.1 - Public Excluded Resolution Monitoring Report</b>	<p>s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p> <p>s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
<b>10.2 - Water Leak Remission Request</b>	<p>s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>s7(2)(f)(i) - free and frank expression of opinions by or between or to members or officers or employees of any local authority</p>	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
<b>10.3 - Patangata Bridge Scour Protection Procurement - Late Report to follow</b>	<p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p> <p>s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7

**CARRIED**

**RESOLVED: 24.29**

Moved: Cr Tim Aitken  
Seconded: Cr Brent Muggeridge

**That Council moves into Public Excluded business at 11.58am.**

**CARRIED**

**RESOLVED: 24.30**

Moved: Cr Exham Wichman  
Seconded: Deputy Mayor Kelly Annand

**That Council moves out of Public Excluded business at 12.19pm.**

**CARRIED**

**11 TIME OF CLOSURE**

The Meeting closed at 12.19pm.

**The minutes of this meeting will be confirmed at the next Council meeting to be held on 13 June 2024.**

.....  
**CHAIRPERSON**



**MINUTES OF CENTRAL HAWKE'S BAY DISTRICT COUNCIL  
COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBER, 28-32 RUATANIWHA STREET, WAIPAWA  
ON THURSDAY, 30 MAY 2024 AT 9.00AM**

**UNCONFIRMED**

**PRESENT:** Mayor Alex Walker  
Deputy Mayor Kelly Annand  
Cr Tim Aitken  
Cr Pip Burne  
Cr Jerry Greer  
Cr Gerard Minehan  
Cr Brent Muggeridge  
Cr Exham Wichman  
Cr Kate Taylor

**IN ATTENDANCE:** Doug Tate (Chief Executive)  
Nicola Bousfield (Group Manager People and Business Enablement)  
Brent Chamberlain (Chief Financial Officer)  
Dennise Elers (Group Manager Community Partnerships)  
Dylan Muggeridge (Group Manager Strategic Planning & Development)  
Phillip Stroud (Acting Group Manager Community Infrastructure and  
Development)  
Sarah Crysell (Communication and Engagement Manager)  
Lisa Harrison (LTP Programme Manager)  
Stephen Hill (Electionz.com) (online)  
Ben Swinburne (Three Waters Manager)  
Annelie Roets (Governance Lead)

**33 KARAKIA**

Her Worship, The Mayor Alex Walker welcomed everyone to the meeting and Cr Exham Wichman opened with a karakia.

**34 APOLOGIES**

There were no apologies received.

**35 DECLARATIONS OF CONFLICTS OF INTEREST**

There were no Declarations of Conflict of Interest received.

**36 STANDING ORDERS**

**RESOLVED: 24.31**

Moved: Cr Exham Wichman  
Seconded: Cr Kate Taylor

That the following standing orders are suspended for the duration of the meeting:

- **21.2** Time limits on speakers
- **21.5** Members may speak only once
- **21.6** Limits on number of speakers

And that Option C under section 21 General procedures for speaking and moving motions be used

for the meeting.

Standing orders are recommended to be suspended to enable members to engage in discussion in a free and frank manner.

**CARRIED**

### **37 CONFIRMATION OF MINUTES**

That Council confirm the 18 April, 22 May and 23 May 2024 Council minutes at their next Ordinary Council meeting to be held on 13 June 2024.

### **38 REPORTS FROM COMMITTEES**

No reports received.

### **39 REPORT SECTION**

#### **7.1 REPRESENTATION REVIEW – CONFIRMATION OF REPRESENTATION ARRANGEMENTS**

##### **PURPOSE**

The matter for consideration by the Council is to confirm its preferred option for representation arrangements for the 2025 and 2028 elections for inclusion in the initial representation proposal, to be presented to Council at its meeting of 27 June 2024 for adoption and subsequent community consultation.

##### **RESOLVED: 24.32**

Moved: Deputy Mayor Kelly Annand

Seconded: Cr Pip Burne

- 1. That the Council confirms Option 4 as the representation arrangement for inclusion in Councils Initial Representation Proposal for the 2025 and 2028 elections.**

**CARRIED**

**AGAINST: CRS GERARD MINEHAN/ TIM AITKEN/ JERRY GREER/ BRENT MUGGERIDGE**

Doug Tate welcomed Stephen Hill (Electionz.com) (*online*) who presented this report with discussions noting:

- Now in third phase of the Representation Review with options being put forward to Councillors to consider and seek feedback on the options proposed.
- Today's decision will be included in the Representation Proposal to be adopted at the 27 June 2024 Council meeting.
- Councillors explored the various representation arrangements and options proposed. Some lengthy debate on each option considered.
- Of the options developed, some options do not comply with the Local Electoral Act due to the over or under representation in one or both wards and the non-compliance with the per member ratio (+/- 10%).
- Under Option 4:
  - Each General ward elector would have 3 ward votes PLUS 2 At-Large votes (plus a vote for the mayor)
  - Each Māori ward elector would have 1 ward vote PLUS 2 At-Large votes (plus a vote for the mayor).
- The Recommendation was put and carried.

## 7.2 THREE YEAR PLAN 2024-2027 SUMMARY REPORT

### PURPOSE

The purpose of this report is to provide a summary on the Three Year Plan 2024-2027 process, and the matters to be deliberated on that form part of this agenda.

### RESOLVED: 24.33

Moved: Cr Gerard Minehan  
Seconded: Cr Exham Wichman

**That the report be noted.**

**CARRIED**

Doug Tate introduced the report which was taken as read.

## 7.3 THREE YEAR PLAN 2024-2027 – DRAFT DELIBERATIONS REPORT: TRADE-OFF AREA #1 – SORTING LAND TRANSPORT

### PURPOSE

The matter for consideration by the Council is to consider feedback related to Trade-off area #1 – Sorting Land Transport received through the Three Year Plan 2024 - 2027 process.

### RESOLVED: 24.34

Moved: Cr Tim Aitken  
Seconded: Cr Jerry Greer

1. **That Council adopts the Higher Option for Trade-off Area #1 – Sorting Land Transport as set out in the Three Year Plan 2024-2027.**
2. **That the submitters are thanked for their comments which are acknowledged and further that the information contained in this report is provided to the submitters.**

**CARRIED**

The report was taken as read, followed by Councillor discussion.

#### **7.4 THREE YEAR PLAN 2024-2027 – DRAFT DELIBERATIONS REPORT: TRADE-OFF AREA #2 – DRINKING WATER AND WASTEWATER INVESTMENT**

##### **PURPOSE**

The matter for consideration by the Council is to consider feedback related to Trade-off Area #2 – Drinking Water and Wastewater Investment received through the Three Year Plan 2024–2027 process.

##### **RESOLVED: 24.35**

Moved: Cr Gerard Minehan

Seconded: Cr Kate Taylor

- 1. That Council adopts the Central Option for Trade-off Area #2 – Drinking Water and Wastewater Investment.**
- 2. That the submitters are thanked for their comments which are acknowledged and further that the information contained in this report is provided to the submitters.**

**CARRIED**

The report was taken as read, followed by Councillor discussion.

#### **7.5 THREE YEAR PLAN 2024-2027 – DRAFT DELIBERATIONS REPORT: TRADE-OFF AREA #3 – PRIORITISING STORMWATER**

##### **PURPOSE**

The matter for consideration by the Council is to consider feedback related to Trade-off Area #3 – Prioritising Stormwater received through the Three Year Plan 2024 - 2027 process.

##### **RESOLVED: 24.36**

Moved: Cr Gerard Minehan

Seconded: Cr Exham Wichman

- 1. That Council adopts the Central Option for Trade-off Area #3 – Prioritising Stormwater as set out in the Three Year Plan 2024-2027.**
- 2. That the submitters are thanked for their comments which are acknowledged and further that the information contained in this report is provided to the submitters.**

**CARRIED**

The report was taken as read, followed by Councillor discussion.

## 7.6 THREE YEAR PLAN 2024-2027 – DRAFT DELIBERATIONS REPORT: TRADE-OFF AREA #4 – SERVICE REDUCTIONS AND EFFICIENCIES

### PURPOSE

The matter for consideration by the Council is to consider feedback related to Trade-off area #4 – Service Reductions and Efficiencies received through the Three Year Plan 2024-2027 process.

### RESOLVED: 24.37

Moved: Deputy Mayor Kelly Annand

Seconded: Cr Pip Burne

A motion was put for recommendation 1(b) being as:

1. **That Council adopts the Central Option for Trade-off area #4 – Service Reductions and Efficiencies, with the following changes:**
  - a) **That Council retains the existing Library Service operating hours, requiring an increase in the general rate of \$30,000 in the Three Year Plan 2024-2027.**
  - b) ***That Council retains the existing Waipawa Transfer Station at reduced hours until such time as a centralised resource recovery centre is established for the district or some other option.***

Cr Jerry Greer / Cr Brent Muggerridge

Against: Mayor Alex Walker/ Deputy Mayor Kelly Annand / Cr Pip Burne / Cr Exham Wichman

The Motion was Lost

2. **That the submitters are thanked for their comments which are acknowledged and further that the information contained in this report is provided to the submitters.**

***The motion was lost on recommendation 1(b) and the original recommendations put as being:***

### RESOLVED:

1. **That Council adopts the Central Option for Trade-off area #4 – Service Reductions and Efficiencies, with the following changes:**
  - a) **That Council retains the existing Library Service operating hours, requiring an increase in the general rate of \$30,000 in the Three Year Plan 2024-2027.**
2. **That the submitters are thanked for their comments which are acknowledged and further that the information contained in this report is provided to the submitters.**

**CARRIED**

The report was taken as read, followed by Councillor discussion.

- *The meeting adjourned for morning tea at 10.54am and reconvened at 11.16am.*

## **7.7 THREE YEAR PLAN 2024-2027 – DRAFT DELIBERATION'S REPORT: TUKITUKI (TAREWA) SWINGBRIDGE**

### **PURPOSE**

The matter for consideration by the Council is to consider feedback related to Tukituki Swing bridge received through the Three Year Plan 2024 - 2027 process.

### **RESOLVED: 24.38**

Moved: Deputy Mayor Kelly Annand

Seconded: Cr Exham Wichman

- 1. That Council reaffirms its support of the Tukituki (Tarewa) Swing bridge as an important recreational asset for Central Hawke's Bay, despite delays in the rebuilding of the bridge as a result of Hawke's Bay Regional Council's review of the Upper Tukituki River Scheme following Cyclone Gabrielle.**
- 2. That Council retains funding as proposed in the Three Year Plan 2024-2027 for the construction of the Tukituki (Tarewa) Swing bridge as a means to convey wastewater across the river.**
- 3. That following the release of the Hawke's Bay Regional Council Upper Tukituki Scheme Review an assessment of the impacts of the review on the project is completed, and that Council reassesses the viability of the project to convey wastewater across the Tukituki.**
- 4. That the submitters are thanked for their comments which are acknowledged and further that the information contained in this report is provided to the submitters.**

**CARRIED**

Doug Tate introduced the report which was taken as read.

- There are a number of risks associated with this project and further information is required to better understand the impacts of these, particularly the Hawke's Bay Regional council Upper Tukituki Scheme Review that has halted the project's progress to date.
- The swing bridge is an important asset to our community and is the centrepiece of the Tukituki Trails network.
- HBRC were unable to progress the consenting for the project any further due to the Upper Tukituki Scheme Review which is currently undertaken.
- The balance of the report was taken as read.

## **7.8 THREE YEAR PLAN 2024-2027 – DRAFT DELIBERATIONS REPORT: REVENUE AND FINANCING POLICY AND RATING SYSTEM**

### **PURPOSE**

The matters for consideration by Council is whether the Revenue and Financing Policy and Rating System should move the cost of swimming pool inspections, for those that have a permanent swimming pool, from a fee and charge to a targeted rate.

This report also considers the cost of swimming pool inspections moving to 100% funded by swimming pool owners (under the previous Revenue and Financing Policy 80% of the fee was covered by the pool owner and 20% was covered by general rates).

### **RESOLVED: 24.39**

Moved: Cr Tim Aitken

Seconded: Deputy Mayor Kelly Annand

- 1. That Council adopts the following recommendations for the Revenue and Financing Policy following its consultation as part of the Three Year Plan 2024-2027:**
  - a) That swimming pool inspection costs continue as a fee and do not move to a targeted rate.**
  - b) That swimming pool inspection costs move to 100% private funding.**
- 2. That the submitters are thanked for their comments which are acknowledged and further that the information contained in this report is provided to the submitters.**

**CARRIED**

Doug Tate introduced the report which was taken as read, followed by Councillor discussion.

## **7.9 THREE YEAR PLAN 2024-2027 – DRAFT DELIBERATIONS REPORT: DEVELOPMENT CONTRIBUTIONS POLICY**

### **PURPOSE**

The matter for consideration by the Council is whether or not the proposed Development Contributions Policy should be adopted.

### **RESOLVED: 24.40**

Moved: Cr Kate Taylor

Seconded: Cr Pip Burne

- 1. That Council adopts the Development Contribution Policy following its consultation as part of the Three Year Plan 2024-2027.**
- 2. That the submitters are thanked for their comments which are acknowledged and further that the information contained in this report is provided to the submitters.**

**CARRIED**

The report was taken as read, followed by Councillor discussion.

## **7.10 THREE YEAR PLAN 2024-2027 – DRAFT DELIBERATIONS REPORT: OTHER MATTERS**

### **PURPOSE**

The matter for consideration by the Council is any other matters outside the four trade-off areas or related policies, raised during Three Year Plan submission process.

### **RESOLVED: 24.41**

Moved: Cr Kate Taylor

Seconded: Cr Brent Muggeridge

- 1. That the submitters are thanked for their comments, which are acknowledged, and further that the information contained in this report is provided to the submitters.**
- 2. That Sport Hawke's Bay's are thanked for their submission and their ongoing efforts in Central Hawke's Bay and that their request for support for a Regional Spaces and Places Plan and the Regional Aquatics Plan is managed by Officers.**
- 3. That funding support is not provided to the Hawke's Bay Community Fitness Trust but invites the Trust to continue to participate in our community and community networks.**
- 4. That Council adopts the proposed change in the Land Use and Subdivision activity budget.**
- 5. That Council scopes for a rating review in the next 12 months.**

**CARRIED**

Doug Tate introduced the report which was taken as read followed by Councillor discussion.

## **7.11 THREE YEAR PLAN 2024-2027 – DRAFT DELIBERATIONS REPORT: TE AUTE DRAINAGE SCHEME**

### **PURPOSE**

The matters for consideration by Council is whether the Te Aute Drainage Scheme Budget should be adjusted following the Te Aute Drainage Scheme Annual General Meeting (AGM).

This is a Targeted Rate affecting the 16 farm properties surrounding the Papanui Stream Catchment Area.

### **RESOLVED: 24.42**

Moved: Cr Tim Aitken

Seconded: Cr Brent Muggeridge

- 1. That Council agrees to increase the targeted rate for the Te Aute Drainage Scheme by \$50,000 for additional maintenance of the drainage scheme as requested by the Te Aute Drainage Scheme Committee/Ratepayers in the Three Year Plan 2024-2027.**

**CARRIED**

The report was taken as read, followed by Councillor discussion.

## **40 CHIEF EXECUTIVE REPORT**

No reports.



**9 DATE OF NEXT MEETING**

**RESOLVED: 24.43**

Moved: Cr Jerry Greer

Seconded: Cr Kate Taylor

**That the next meeting of the Central Hawke’s Bay District Council be held on 13 June 2024.**

**CARRIED**

Her Worship, The Mayor thanked the community for their input and feedback throughout the consultation process and thanked all officers for their effort in preparing the Deliberations Reports.

**10 TIME OF CLOSURE**

The Meeting closed at 12.43pm.

**The minutes of this meeting will be confirmed at the next Ordinary Council meeting to be held on 13 June 2024.**

.....

**CHAIRPERSON**

**41      REPORTS FROM COMMITTEES**

There were no reports.

## 42 REPORT SECTION

### 7.1 RESOLUTION MONITORING REPORT

**File Number:** COU1-1400

**Author:** Annelie Roets, Governance Lead

**Authoriser:** Dylan Muggeridge, Group Manager, Strategic Planning & Development

**Attachments:** 1. Council Monitoring Resolution Report [↓](#)

### RECOMMENDATION

That the report be noted.

### PURPOSE

The purpose of this report is to present to Council the Resolution Monitoring Report. This report seeks to ensure Council has visibility over work that is progressing, following resolutions from Council.

### SIGNIFICANCE AND ENGAGEMENT

This report is provided for information purposes only and has been assessed as not significant.

### DISCUSSION

The monitoring report is **attached**.

### IMPLICATIONS ASSESSMENT

This report confirms that the matter concerned has no particular implications and has been dealt with in accordance with the Local Government Act 2002. Specifically:

- Council staff have delegated authority for any decisions made.
- Council staff have identified and assessed all reasonably practicable options for addressing the matter and considered the views and preferences of any interested or affected persons (including Māori), in proportion to the significance of the matter.
- Any decisions made will help meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses.
- Unless stated above, any decisions made can be addressed through current funding under the Long-Term Plan and Annual Plan.
- Any decisions made are consistent with the Council's plans and policies; and
- No decisions have been made that would significantly alter the intended level of service provision for any significant activity undertaken by or on behalf of the Council or would transfer the ownership or control of a strategic asset to or from the Council.

**NEXT STEPS**

An updated Resolution Monitoring Report will be presented at the next Ordinary Council meeting.

**RECOMMENDATION**

**That the report be noted.**



**Council Resolution Monitoring Report - 13 June 2024**

Key	
Completed	
On Track	
Off Track	

Item Number	Item	Council Resolution or Action	Resolution Date	Responsible Officer	Progress Report
1	7.3	Centralines Aquatic Centre - Annual Plan 2023/24	15-Jun-23	Dennise Elers	<b>On Track</b> - Council Officers have met with the Trust to discuss the future direction and aspirations of the Trust and these conversations are ongoing. The ground lease for the Centralines Sports Complex expires on 30 June 2024, which can be achieved under the CE's Delegation. An extension to the lease is expected to be provided to give the Trust further time to confirm their future. Overall, the Trust have a plan for how they intend to understand their future state, form and function.
2	7.5	Adoption of Draft Statement of Proposal Freedom Camping	19-Oct-23	Logan McKay	<b>On Track</b> - The Bylaw consultation period has closed. Officers have completed analysis of the 533 submissions, and these submissions will be heard as part of this Council agenda.
3	7.2	Representation Review - Māori Representation	15-Nov-23	Doug Tate	<b>On Track</b> - Council confirmed its proposed representation arrangement at its meeting of 30 May. Officers will now prepare the initial representation proposal for consideration at Councils 27 June meeting.
4	7.4	Proposed Amendments and Updates to Council Delegations Manual	15-Feb-24	Brent Chamberlain / Dylan Muggeridge	<b>On Track</b> - Policy updated and available on the web. The inclusion of governance structures in the document, and possible duplication with other policies yet to be refined. Officers are working on this and expect to provide an update in August.
5	7.1	Better-Off Funding - Update and Funding Re-allocation direction	14-Mar-24	Dylan Muggeridge	<b>Complete</b> - The Department of Internal Affairs confirmed the re-allocation of Better-Off Funding as approved by Council on 15 February. Officers are now working with Crown Infrastructure Partners to operationalise this funding re-allocation, and implement projects. Officers have also reflected this allocation of Better-Off Funding in the options that were consulted on for the Three Year Plan.
6	7.16	Petition - Speed Reduction in Ongaonga	14-Mar-24	Phillip Stroud	<b>Complete</b> - The meeting agreed between NZ Police and the Community's representative was held on 1 May. There was good attendance with a wide range of potential solution presented for Council officers to consider. It is intended to report back to the Ongaonga community on potential preferred options. This work is ongoing operationally with no action required from the Elected Members.





## 7.2 ADOPTION OF THE THREE YEAR PLAN 2024-2027

**File Number:****Author:** Lisa Harrison, LTP Programme Manager**Authoriser:** Doug Tate, Chief Executive**Attachments:** Three Year Plan 2024-2027 (under separate cover)

### PURPOSE

The matter for consideration by the Council is to present to the Three Year Plan 2024-2027 for adoption.

### RECOMMENDATION

1. That Council adopt the Three Year Plan 2024-2027 in accordance with section 93G of the Local Government Act 2002.
2. That Council gives delegation to the Chief Executive to make any final edits, including minor changes to the Three Year Plan 2024-2027 ahead of formal publication.

### EXECUTIVE SUMMARY

Following the severe impacts of Cyclone Gabrielle on our District, Council along with other impacted Districts received legislative relief under the Severe Weather Emergency Recovery Legislation Act 2023 to develop a Three Year Plan rather than a ten year Long Term Plan.

Work commenced on the Three Year Plan programme in June 2023. Development of the Three Year Plan has progressed through numerous Council Workshops, Committee and Council meetings, and while formally beginning in June 2023, many of the building blocks have been developed over the last three years since the adoption of the 2021-2031 Long Term Plan.

On 10 April 2024 Council published its Three Year Plan 2024-2027 Consultation Document and subsequently held a series of engagements, including Facebook lives and Cuppa with a Councillor sessions to consult on the proposed Three Year Plan. The Consultation period ran from 10 April – 12 May 2024. 285 (including 5 late submissions) were able to provide feedback on the proposed Three Year Plan via an online survey, hard copy survey or any other written form of the submitters choice e.g. email, letter.

Of the total 285 submissions, 22 indicated they wished to speak at the Hearings being held on 22 May 2024.

On 30 May 2024 Council considered all the written feedback, verbal feedback, and officers advise, and resolved to make a number of changes to the Three Year Plan.

Today, Councillors are being presented with the final Three Year Plan 2024-2027 and are being asked to adopt the plan.

### BACKGROUND

#### *What is a Long Term Plan (LTP)/Three Year Plan?*

Council is required by legislation to adopt a Long Term Plan and review it every three years.

A Long Term Plan sets out Council's activities, plans, budgets and policies and must be adopted before the beginning of the first year it relates to and continues in force until the close of the third consecutive year to which it relates.



Due to the impacts of Cyclone Gabrielle in our district, Council has applied the Severe Weather Emergency Recovery Legislation Act 2023 (the Act). This has meant that Council has relief from Section 93 (7) (a) of the Local Government Act 2002 and is not required to complete a Ten Year Plan. This has been extended to activities such as Councils Infrastructure Strategy, requiring that a 10 rather than 30 year window is considered. Council has also been exempted from the Audit requirements normally associated with the development of a ten year plan also.

### ***The Process***

The process to develop the Three Year Plan 2024-2027 began in June 2023. Through the community engagement to develop the Tamatea/Central Hawke's Bay Recovery and Resilience Plan, post Cyclone Gabrielle, we heard strongly from our community about what the priorities were in order to be able to recover and become more resilient. This information alongside the community feedback through the consultation period, has been valuable in the ongoing development and refinement of the Three Year Plan.

Development of the Three Year Plan has progressed through numerous Council Workshops, Committee and Council meetings. These regular workshops and meetings have provided a strong and robust platform for the basis of the Three Year Plan. During the workshops and Committee and Council Meetings, Council have received all of the components of the Three Plan including:

- Community Outcomes – these have been reviewed and included in the Three Year Plan.
- The Levels of Service and Performance Measures – these have been updated based on the Asset and Activity Management Plans and Council feedback and form part of the supporting information contained in each group and activity statement.
- Revenue and Finance Policy – this has been reviewed and consulted as part of the Three Year Plan.
- Groups of Activities – These have been reviewed and the text through all of the activities updated to reflect the range of services and activities Council provide.
- Financial Strategy – this has been reviewed and updated based on the current expectations of Council to facilitate prudent financial management.
- Infrastructure Strategy – has been updated to show the current significant infrastructure issues and how the Council will manage these over the next 10 years.
- Significant Assumptions – these have been reviewed and updated based on current information and best guidance.
- Development Contributions – this policy has been reviewed with substantial changes based on the assumptions and budgets included within the Three Year Plan.
- The Budget and Rates requirements for the next three years - these have been reviewed and form part of the overall consultation on the Three Year Plan.

In accordance with section 93B of the Local Government Act 2002, officers developed a Consultation Document and supporting information that reflected the decisions made and to provide the basis for consultation with the community. The Consultation Document set out the issues and opportunities facing Central Hawke's Bay, along with the key issues for consultation to inform the final Three Year Plan and the proposals and options put forward by Council. The supporting information included the detailed information relied on to prepare the consultation Document.

Due to the Act, Council has relief from section 93D(4) of the Local Government Act 2002 in relation to undertaking an audit on this Three Year Plan.

The consultation on the Three Year Plan using the Consultation Document and supporting information was completed in accordance with section 83 of the Local Government Act 2002. As

part of this, an Engagement Plan was developed to ensure compliance with section 83 of the Local Government Act 2002 and with the key principles of accessibility, transparency and genuine engagement.

Following the adoption of the Consultation Document on 10 April 2024, Council held several Facebook lives, Cuppas with a Councillor, and focused on a targeted social media campaign as well as other engagement channels including radio adverts and information in our Local Newspaper CHB Mail.

At the Hearings meeting held on 22 May 2024, Council heard 17 verbal presentations of submissions. On 30 May 2024, Council held a deliberation meeting to decide on the outcome of the consultation items and other items raised through the submissions received.

For the six key initiatives Council consulted, the following was resolved:

1. Sorting Land Transport.
2. Drinking Water and Wastewater Investment.
3. Prioritising Stormwater.
4. Service Reductions and Efficiencies.
5. How we pay for Growth.
6. How permanent pool owners pay for their swimming pool inspection and that the fee moves to 100% user pays.
7. Tukituki (Tarawera) Swingbridge next steps.

## **DISCUSSION**

This Three Year Plan 2024-2027 is a significant Three Year Plan for Central Hawke's Bay. It presents an open and transparent view of the reality Council faces and a proposed way forward to address the challenges Council and the Community face.

The previous Long Term Plan 2021-2031 Council made the decision, following feedback from the community to increase our debt limits to enable progress on investing in our infrastructure. This meant ratepayers were faced with significant rates increases – not just in the first year of the plan, but through the life of the Long Term Plan Budget 2021-2031. Through development of this Three Year Plan, we are faced with similar infrastructure challenges, coupled with the devastation that Cyclone Gabrielle has had on our community, and in particular on our roading and waters infrastructure.

In building this budget, through numerous Council Workshops, Committee and Council Meetings, we have taken a ruthless approach to prioritising expenditure, albeit connected to a level of uncertainty in relation to recovery funding that is also not clear at this time.

This Three Year Plan does not propose to make any significant reductions to the levels of service from the previous Long Term Plan, other than closing the Waipawa and Takapau Transfer Stations.

The main focus of the Three Year Plan was about continuing the #bigwaterstory programme of Three Water Infrastructure and a strong focus on roading infrastructure, both maintenance and cyclone recovery focussed programmes.

Officers have included the decisions from the deliberations into the Three Year Plan, which is presented to the Council for consideration and adoption. Those decisions can also be referenced in the minutes (attached) from the Council meeting of the 30 May 2024 where Council made deliberations on the Three Year Plan.

The Three Year Plan includes Rate Increases over the three years of the Plan as per the below table. The table below includes a longer term view of projected rates.



Section 100(2) of the Local Government Act 2002. allows for Council to set projected operating revenue at a different level from operating expenses taking into account achieving and maintaining level of service provision, maintenance of assets and facilities and affordability, that is projecting an unbalanced budget. This is primarily due to not fully funding depreciation as signalled in the Financial Strategy which results in a unbalanced budget for the period of the Three Year Plan. The reason for this is Council is undertaking significant catch up in deferred asset renewals and is unable to fully fund depreciation during the course of this Three Year Plan without further financially stressing its ratepayers with even higher rating requirements.

**RISK ASSESSMENT AND MITIGATION**

The proposed Three Year Plan 2024-2027 is a confronting step by Council to face up to the challenges facing our community, and ensure a transparent approach is taken with the community to ensure the facts are known and community are in a position to meaningfully engage.

The proposed Three Year Plan 2024-2027 is one of the most challenging plans that the Council has had to progress due to:

- the current economic climate and affordability challenges our community is facing.
- the impact that Cyclone Gabrielle has had on our community.
- the need to continue to invest in core infrastructure.
- the uncertainty of “Local water done well” and what that means for our district and the wider region.

We still have \$129 million of roading damage yet to fund. Four of our five wastewater treatment sites were flooded and damaged, with the long-term impacts on these sites still not yet known. With the level of uncertainty we face, not only with the impacts of Cyclone Gabrielle, but the uncertainty are other key factors such as interest rates and Three Waters Reform, this is why as Council we have progressed with a Three Year Plan vs a Long Term Plan.

Officers have applied both strategic, operational and technical knowledge, and engaged third party independent advice on those matters in the Three Year Plan which have a level of risk associated with it.

The Three Year Plan was subject to public consultation and complied with the public consultation process as set out in the Local Government Act 2002.

**FOUR WELLBEINGS**

Project Thrive has seven strategic goals that Council focusses on for our community’s wellbeing, which support a thriving Central Hawke’s Bay. The four wellbeing’s are intrinsically linked to the purpose of everything we do.

## DELEGATIONS OR AUTHORITY

Under the Local Government Act 2002 Council must adopt their Long Term Plan. This report seeks the adoption of a Three Year Plan.

## SIGNIFICANCE AND ENGAGEMENT

In accordance with the Council's Significance and Engagement Policy, this matter has been assessed as of significance, and as a result of that a robust consultation and engagement process has occurred as per the requirements of the Local Government Act 2002. Council has met its requirements under the Significance and Engagement Policy.

## OPTIONS ANALYSIS

Council has two options:

**Option 1:** Adopt the Three Year Plan 2024-2027 to provide for Council to finalise the Three Year Plan and Council to strike the rate by 30 June 2024..

**Option 2:** Resolve not to adopt the Three Year Plan 2024-2027 and to give Officers guidance on which amendments were needed and an amended timeframe related to adoption of the Three Year Plan Document would be required.

### Recommended Option

This report recommends **Option 1** to Adopt the Three Year Plan 2024-2027 for addressing the matter.

## NEXT STEPS

Following the adoption of the Three Year Plan, Council will receive a report at the 27 June 2024 Council Meeting in relation to striking the rates for the 2024/2025 year.

The Chief Financial Officer, in conjunction with the Chief Executive will make any minor amendments and distribute the Three Year Plan as required.

Council Officers will also respond to all the submissions with the outcome of the deliberations and information adopted as part of the Three Year Plan.

Should the Council resolve to not adopt the Three Year Plan, officers will require guidance on which amendments are needed and an amended timeframe related to adoption of the Three Year Plan would be required.

## RECOMMENDATION

1. **That Council adopt the Three Year Plan 2024-2027 in accordance with section 93G of the Local Government Act 2002.**
2. **That Council gives delegations to the Chief Executive to make any final edits, including minor changes to the Three Year Plan 2024-2027 ahead of formal publication.**

### 7.3 LAND TRANSPORT SECTION 17A AND RISK REPORT

**File Number:****Author:** Shawn McKinley, Land Transport Relationships Manager**Authoriser:** Phillip Stroud, Group Manager - Community Infrastructure and Development**Attachments:**

1. Land Transport Section 17a Review [↓](#)
2. Strategic Risk Overview [↓](#)

**PURPOSE**

The matter for consideration by the Council is the adoption of the Section 17a review and the Risk Review paper, which focuses on the risks associated with the Land Transport Improvement Plan.

**RECOMMENDATION**

1. That the Land Transport Section 17a be adopted and its findings and recommendations are incorporated into the Land Transport Improvement Plan.
2. That the Risk Review identifying the risks in the Land Transport Improvement Plan be adopted and appropriate risks incorporated into Council's risk register.

**EXECUTIVE SUMMARY**

The Local Government Act 2002 states the requirement for local authorities to conduct a Section 17a (S17a) review on how its services are delivered. The last one was undertaken in 2019 with recommendations approved by the Council in August 2019. A recommendation of the 2019 review was that a further review would be undertaken in 2022. However, this was deferred as the works contracts established in 2020 were not expiring until June 2025.

The current review has been completed and determined that the current model of delivery of services is still appropriate for Council. As part of the S17a risks involved have been captured along with mitigations which will become part of the Council's risk register. These risks will be regularly reviewed and reported on to ensure the Land Transport Improvement Plan (LTIP) is carried out smoothly meeting the desired outcomes.

**BACKGROUND**

A significant focus for the organisation, reflected through Elected Members priorities is addressing the districts roading network and overall performance of its land transport activity. While roading was to be a major focus areas for Councils as part of the 2024 – 2034 Long Term Plan, major weather events in 2022 and the impacts of Cyclone Gabrielle have further reiterated the importance of achieving improvements in the activity.

An initial focus on improvement was supported by procurement decisions of Council in late 2023. These procurement decisions extended contracts to provide Council to have sufficient time to give consideration on procuring services and to ensure sufficient attention is given to the procurement of the maintenance contract which comes to a final expiration in June 2025.

Work on the S17a began in September 2023 with an Investment Logic Map (ILM), which identified a range of activities which required addressing. One of these activities was a review of the 2019 S17a review.

The ILM presented a large challenge to the council to ensure future road services were delivering on their expectations. These were encapsulated in a LTIP of which this S17a was only one part. Council commissioned the writer of the previous S17a report to conduct another review to ensure

the findings met the emerging needs of the council. Along with this a risk review was begun which focused on any risks relating to the LTIP.

## **DISCUSSION**

In 2023 Council created two big moves which impact the land transport department as part of Councils Elected Member priorities – these are Resilient Roading and Accountable Delivery.

In order to meet these a Land Transport Improvement Plan was initiated, which also provided a structured process to address issues identified in the ILM. This improvement plan has included a complete review of the organisational structure and all of the inputs to the land transport activity which contribute to the successful execution of the two specific land transport big moves. These included:

- Land Transport S17a review.
- A review of the risks associated with the delivery of the LTIP.
- Land Transport Strategic Framework.
- Land Transport Procurement Strategy.
- Road Maintenance Contract Procurement plan.
- Road Maintenance contract preparation / tendering and award.
- Staff changes roles and responsibilities.
- Contract management improvements.
- Area Wide Pavement Treatment (AWPT), Reseals, and Minor Structure contract procurement plan.
- AWPT, Reseals and Minor Structure contract preparation / tendering and award.

This paper covers the first two items of the above list included in the Improvement Plan.

An initial workshop on the S17a was held with the elected members on 4 April 2024 to give a brief update and get input to focus the report. The input received was incorporated and a second workshop was held on 23 May to present the findings. This report is to gain adoption of the S17a review.

Along with the S17a it was recognised that an analysis of the risks associated with the LTIP was required. This was undertaken and presented in a workshop to Council on 23 May for input and discussion. This report also seeks to gain adoption of the risk review undertaken.

## **Review Methodology**

The review has been an iterative and collaborative process as an integral part of the LTIP. It has included:

- Discussions with the Chief Executive and Land Transport and wider Community Infrastructure and Development teams
- A review of the status of 2019 recommendations
- A review of current strategic priorities including Elected Member Priorities and associated 'Big Moves'
- A review of a Council ILM workshop in September 2023
- A review of the contract management work being undertaken which includes revising and developing new performance measures

- A scan of activity in the region including flood and cyclone recovery programmes that are being progressively developed, funded and mobilised
- A general review of relevant Council and NZTA decisions and procurement processes regarding the extension of some capital works contracts
- A review of the scope and purpose of the refreshed Supply Chain Improvement Programme (SCIP)
- A 'findings to date' workshop with Councillors in April 2024 and further workshops in May.

### **Summary Review Findings**

A summary of the review findings take from the S17a Review is provided below:

#### *Land Transport and Supply Chain Improvement Programmes*

The review notes the impact of disruptions from Covid-19, flooding and Cyclone Gabrielle to service planning and delivery and acknowledges the impact these events have had on Land Transport development and improvement activities. LTIP and SCIP represent a sensible approach to ensuring the Land Transport activity is well placed to meet future need and deliver on Elected Members aspirations for Big Move #2 - Resilient Roding as well as other Big Moves that affect all infrastructure and community service delivery.

This review has been informed by the LTIP and SCIP and outputs that have been delivered during the course of the review. The review has found that there is value in seeking to align implementation of any recommendations from this review to LTIP and SCIP as they are effective change programmes already resourced and delivering.

#### *2019 S17a Review recommendations*

Recommendations from the previous review in 2019 were accepted by Council, however a combination of Covid-19, responses to significant weather events and changing staff have resulted in most recommendations not being fully implemented.

This review has found that with some minor changes, the recommendations are still valid and that there is work underway through LTIP and SCIP to address them.

#### *Strategic Direction and Elected Members concerns*

Thrive continues to provide an effective strategic framework for service delivery, and the introduction of the Elected Member Big Move initiatives provides a very good foundation for Activity lead performance indicators for both internal and external delivery teams. They also reinforce the need for Council to continue the work of LTIP in reviewing and updating requirements for internal capability and capacity (people, process and systems). The review notes that strategic benefits realisation requires improvements in medium to long term activity planning, building and maintaining regional relationships, improving activity responsiveness to community and environmentally led changes in requirements, and stronger and more integrated measurement and reporting across Council.

Elected Members have raised specific concerns with regard to community activation, operational response mechanisms and culture, and these can be addressed through the refreshed Maintenance Intervention Strategy and a new maintenance contract. Successfully addressing these concerns will go some way to re-building community confidence in Council's Land Transport service delivery.

#### *Activity and Contract Governance*

The outputs of the September 2023 ILM workshop reinforced findings from the 2019 S17a review that there is a disconnect between Council's governing body (policy and priorities), Land Transport

activity management and contract management. Since 2019, Council's drivers for a review of Activity and Contract governance have expanded and now include:

- The successful delivery of the network recovery programme.
- Securing sustainable service delivery improvements through the LTIP.
- Demonstrating increased responsiveness to community concerns and priorities.
- Delivering Elected member's Big Moves #1 & #2 of Resilient Roading and Accountable Delivery LTIP provides opportunities for activity governance to be improved and consider:
- Ensuring the Land Transport (and potentially other infrastructure activities) governance regime will be effective in supporting delivery of the Big Moves. This would include consideration of how to better connect Activity or Infrastructure Group management decision making and risk and issues escalation and resolution protocols with Council's governing body and risk and assurance processes.
- Terms of Reference. Ensure key roles and accountabilities are well understood particularly in terms of effective and timely decision making to respond to community demand or environmental events.
- Risks and issues identification, escalation and resolution are clear from strategy through to delivery (and back). The Review notes that risk management is being refreshed with the intent that risks will be escalated through Council's risk framework as appropriate. This will help ensure that Council and Activity Governance has a shared view of material risks and issues and their treatments.

#### *Risk management*

This review has found the risk management workstream in LTIP is thorough and has no further comment or recommendation to make.

#### *Land Transport Internal Capability*

Council has revised its Land Transport team roles and responsibilities and has recruited for new and refreshed roles. The review has found that this will need to be kept under constant review to meet changing requirements over time. For example:

- The different skill sets required as the Network Recovery programme rolls out through its delivery cycle from planning and funding through to commissioning.
- The establishment of a work programme to deliver Big Move #2 – Resilient Roading.
- The increased requirement for regional cooperation and planning to support sustainable supply chain capacity and capability.
- The implementation of wider infrastructure improvement initiatives such as standardised contract management and integrated corridor planning.

#### *Funding and Finance*

The draft three year 'Road to Recovery' plan at the time of writing is being finalised and approved, however it is likely that the plan for 'Sorting Land Transport' will mean additional CAPEX and OPEX funding which will increase scope and complexity of the work programme. The Land Transport team now has increased capacity and capability to effectively deliver a larger work programme utilising improved forward planning and programming underpinned by asset condition and network inspection led prioritisation. These activities will, in turn, be supported with appropriate financial reporting and controls to help ensure funding is utilised and well managed.

The review endorses the approach and has no further recommendation to make. Regional supply market It is well understood that the regional supply market requires a lift in capacity to meet



expected demand. However, uncertainty in terms of funding and programmes means that the market is unlikely to grow its capacity in time to meet the demand. This will likely result in a zero-sum game for some suppliers where clients are competing for the same resource. Council will need to consider how it can optimise its position as a preferred client in the short to medium term through creating programming and funding certainty and working closely with other regional clients.

### Review Recommendations

The findings in this review have resulted in a number of recommendations for Council to consider and these are supported with a suggested approach to implementation. These are outlined in the following table:

Ref.	Recommendation	Accountability / Workstream	Priority
R1.	Land Transport and Supply Chain Improvement Programmes Continue to resource and support the Land Transport and Supply Chain Improvement programmes and align recommendations from this S17a review to the scope of these programmes	GM Community Infrastructure & Development	Do Now
R2.	2019 S17a Recommendations Ensure recommendations from 2019 S17a review are incorporated into the scope of the LTIP and/or the Supply Chain Improvement programme.	See Appendix 4	Do Now
R3.	Strategic Direction and Priorities Ensure LTIP and SCIP capture Elected Member Big Move initiatives in the re-design and establishment of a common performance framework across all infrastructure activities.	Contracts Manager – SCIP Performance framework	Do Now
R4.	Elected Members specific concerns Ensure the refreshed Maintenance Intervention Strategy and Maintenance contract management plan address Elected Member concerns: <ul style="list-style-type: none"> <li>• Community activation – emergency response network.</li> <li>• Culture – ownership and pride of place.</li> <li>• Agile response – responding to community and stakeholder issues.</li> <li>• Local supplier participation – practical pre-qualification standards for health and safety and incentives for head contractors to utilise local services suppliers.</li> <li>• Relevant performance measures and reporting – building community confidence.</li> </ul>	Land Transport Programme & Delivery Manager New Maintenance Intervention Strategy & procurement of new maintenance contract.	Do as part of planning for new maintenance contract.
R5.	Activity and contract governance Expand the 2019 S17a recommendation to review Activity governance to ensure integration from policy through to delivery, and support effective and timely escalation and decision making in response to: <ul style="list-style-type: none"> <li>• unplanned events.</li> <li>• changing requirements from the community.</li> <li>• environmental change.</li> <li>• prioritised strategic and funding drivers.</li> </ul>	GM Infrastructure and Community Development LTIP Contract & Activity governance review.	Do Now.

Ref.	Recommendation	Accountability / Workstream	Priority
R6.	Land Transport Internal Capability Ensure any revised Activity governance body has internal capability as a regular review item.	As for R5.	Do following Activity and Contract governance review
R7.	Regional supply market Ensure the refreshed procurement strategy considers how Council can: <ul style="list-style-type: none"> <li>• Create demand certainty and therefore market confidence in its work programme</li> <li>• Work with regional partners to smooth demand – particularly for specialist services</li> <li>• Build flexibility into the three year capital programme to be able to respond to supply market opportunities</li> <li>• Continue to build its reputation as a preferred client</li> </ul>	Land Transport Relationship Manager. LTIP updated procurement strategy.	Consider as part of the procurement strategy.

## Implementation

The recommended approach to successful delivery of the S17a Review and its findings, is for it to be included in the LTIP. It is recommended that Officers report back to Council on the confirmation of any change in Governance Committees on how best this work programme is reported back to the Elected Council.

## RISK ASSESSMENT AND MITIGATION

The risks of not completing the S17a and the risk review would leave council open to not complying with the legislative requirements of LGA 2002 which will be mitigated by the adoption of this paper.

By not adopting the S17a and the risk review the attainment of the 2 big moves will be more restrained and negatively impact on our ability to meet the community outcomes

## FOUR WELLBEINGS

This report allows for the timely re-write of the maintenance contract which will enable all four of the community outcomes to be acted on.

**Economic Wellbeing:** By ensuring efficient and effective transportation services, the LTIP supports local businesses, reduces transportation costs, and promotes economic growth. The strategic procurement and contract management improvements will lead to cost savings and better value for money.

**Social Wellbeing:** Improved transportation services enhance connectivity within communities, making it easier for residents to access essential services, education, and employment. This fosters a sense of community and improves the overall quality of life.

**Environmental Wellbeing:** The plan incorporates measures to reduce environmental impacts, such as promoting sustainable transportation options and improving infrastructure resilience. By addressing risks and implementing mitigation strategies, the plan supports environmental sustainability and reduces the carbon footprint of transportation services.

**Cultural Wellbeing:** The plan ensures that transportation services respect and integrate cultural values and heritage. This includes preserving culturally significant sites and incorporating community feedback to ensure that transportation improvements align with local cultural priorities.

## DELEGATIONS OR AUTHORITY

In line with S17a of the Local Government Act 2002, local government are required to review how governance, funding and delivery of services is done at least once every 6 years or when significant changes occur to the levels of service. The last S17a for land transport was conducted in 2019 S17a.

## SIGNIFICANCE AND ENGAGEMENT

In accordance with the Council's Significance and Engagement Policy, this matter has been assessed significant.

## OPTIONS ANALYSIS

There are two options available for this report which require consideration and the impacts are outlined in the table below.

### ***Option 1 – Adopt the S17a Review***

This option sees Council adopt the S17a and its findings are incorporated in the LTIP. It is the preferred option as it allows the preparation of the maintenance contract to continue while

### ***Option 2 – Do not adopt the S17a Review – recommend changes***

This option defers the S17a which has a negative impact on the timing and award of the maintenance contract.

	<b><u>Option 1</u></b> <b>Adopt the S17a Review</b>	<b><u>Option 2</u></b> <b>Do not adopt the S17a Review – recommend changes</b>
<b>Financial and Operational Implications</b>	There are no immediate new financial implications from this option, with funding and ongoing work contemplated from the Review.	The notable impact to this option is the requirement to complete rework. Relative to the level of change this would need to be assessed.
<b>Long Term Plan and Annual Plan Implications</b>	Provides direction to the Land Transport team to enable the preparation and retendering of the maintenance contract and procurement strategy.	Does not provide direction to the Land Transport team and places the maintenance contract at risk of not being procured in the timely manner.
<b>Promotion or Achievement of Community Outcomes</b>	Enables the achievement of the community outcomes through the re-tendering of the maintenance contract.	Puts the outcomes at risk due to the potential delay in preparing a road maintenance contract.
<b>Statutory Requirements</b>	Meets all statutory requirements.	Meets all statutory requirements but a S17a will have to be completed within the next year to continue to meet statutory requirements.
<b>Consistency with Policies and Plans</b>	Consistent with policies and plans.	Consistent with policies and plans if a S17a review is conducted within the next year.

## Recommended Option

This report recommends **Option One, Adopt the S17a Review** for addressing the matter.

**NEXT STEPS**

Following adoption, the S17a will be used as a guiding document and will form part of the LTIP.

The risks identified will be incorporated into the Council's Risk Register and reviewed on a regular basis.

A series of workshops will be held with council over the next few months until concerns and options have been explored and direction given to enable the big moves to be realised.

**RECOMMENDATION**

1. **That the Land Transport Section 17a be adopted and its findings and recommendations are incorporated into the Land Transport Improvement Plan.**
2. **That the Risk Review identifying the risks in the Land Transport Improvement Plan be adopted and appropriate risks incorporated into Council's risk register appropriate.**















































































































## 7.4 FREEDOM CAMPING BYLAW: HEARING OF SUBMISSIONS

### File Number:

**Author:** Logan McKay, Customer and Compliance Manager

**Authoriser:** Doug Tate, Chief Executive

**Attachments:** Attachment 1 - Draft Statement of Proposal (under separate cover)  
Attachment 2 - Index of Submissions (under separate cover)  
Attachment 3 - All submissions (under separate cover)  
Attachment 4 - Analysis of Survey Responses by Sage Planning (under separate cover)  
Attachment 5 - Schedule of Hearings (under separate cover)

### RECOMMENDATION

1. That the submissions on the Proposed Freedom Camping Bylaw be received.
2. That Council thanks submitters for taking the time to provide feedback on the proposed Freedom Camping Bylaw and thank them for their submissions.

### PURPOSE

The purpose of this report is to present submissions to the Proposed Freedom Camping Bylaw to Council and to introduce submitters who wish to present oral submissions to Council. significance and engagement

### SIGNIFICANCE AND ENGAGEMENT

This report has been assessed as of some significance, noting that Council is conducting hearings for a Bylaw, a notable legal tool available to Council for the operation of its activities and services.

### BACKGROUND

Central Hawke's Bay has become increasingly popular following COVID-19 as a freedom camping destination. Due to the increase in popularity, our coastline in particular has received a significant increase in visitors over the main camping season (November to April). The increase in the number of visitors has also led to an increase in the negative impacts that freedom camping has on Central Hawke's Bay. The district currently does not have a freedom camping bylaw in place to help manage where, when and how visitors and locals alike can freedom camp. In the absence of a Bylaw, Council also does not have a documented Policy to manage freedom camping either.

In 2022, through the Thriving Places and Spaces Consultation Council adopted the Central Hawke's Bay Reserves Management Plan which covers 80 reserves (designated under the Reserves Act 1977 (Reserves Act)) totaling over 228 hectares. The purpose of the Reserve Management Plans is to ensure that reserves are managed consistently, and that the natural, recreational, historical and cultural values are protected. Through this consultation, Council also adopted a [Camping Strategy 2022](#), with the following strategic goal:

*Camping is in our DNA – the Tamatea Way, looking after locals, welcoming visitors, offering mountains to beach opportunities and protecting our natural environments.*

### *Freedom Camping Bylaw*

Within the Camping Strategy there are five strategic priorities, of which the first is 'Developing a camping framework that enables and promotes responsible camping throughout the district'. One of the short-term actions out of this strategic priority was to develop a Freedom Camping Bylaw.

The purpose of adopting a Freedom Camping Bylaw is to enable and regulate freedom camping in the district while ensuring that we are meeting our obligations under the relevant legislation – the Local Government Act 2002 (LGA), the Bill of Rights Act 1990 (BRA) and the Freedom Camping Act 2011 (FCA).

In addition, on December 7, 2023, the Self-contained Motor Vehicles Legislation Act 2023 came into force. Changes were made to the Plumbers, Gasfitters and Drainlayers Act 2006 and the Freedom Camping Act 2011 to establish a new regulatory system for certifying and registering self-contained vehicles used for freedom camping. The changes were made to strengthen the rules around freedom camping and protect Aotearoa New Zealand's natural environment.

A bylaw is not designed to inhibit the ability to freedom camp, it is to clearly articulate where you can freedom camp in our district and where you are unable to freedom camp, if the negative effects that freedom camping may have on a particular area(s) which outweighs the benefit of enabling freedom camping.

A Freedom Camping Bylaw is not intended to override or replace other legislation. Regulations to manage where locals and visitors can enjoy freedom camping in our district will not resolve all of the issues that have been raised and does not give us powers to deal with certain situations, such as where the New Zealand Police or other organisations have authority and jurisdiction to intervene. Our compliance team have a strong relationship with our local police and work closely on issues that are raised through freedom camping where we may need their support, and this will continue if a Freedom Camping Bylaw is adopted.

### *Draft statement of proposal*

With changes to the legislation, and the increase in visitors and locals wanting to enjoy freedom camping in our district, Council sought the support of the Ministry of Business Innovation and Employment (MBIE), through the Freedom Camping Transition Fund to assist with the preparation of a Freedom Camping Bylaw. Council was successful in receiving funding through the 2022/2023 and 2023/2024 funding rounds to assist with the development and implementation of a Freedom Camping Bylaw.

This fund enabled Council to, over the past two summer season, employ camping ambassadors to promote responsible freedom camping across our district and also to prepare a draft Freedom Camping Bylaw.

A draft statement of proposal was presented to Council for adoption on 19 October 2023. At this meeting, Council resolved *to adopt the draft Statement of Proposal for Freedom Camping Bylaw with amendments*. The draft Statement of Proposal adopted by Council for public consultation can be found in **Attachment 1**.

## **DISCUSSION**

This section of the report outlines early engagement and the steps for today's hearings.

Engagement and feedback on the proposed bylaw was initially sought directly from a number of key partners and stakeholders in our communities ahead of the draft statement of proposal being adopted, including:

- Mana whenua.
- New Zealand Motorhome Caravan Association (NZMCA).
- Community groups and commercial campgrounds.

The pre-consultation period started in July 2023 with a hui with Mana whenua. We heard strong views from Mana whenua around their right to camp along the coastline as they have done so for generations and ensuring that this continues for generations to come. Mana whenua used the Purerere summer camping season as an example of how it can work when Mana whenua and Council work in partnership. This partnership has been in place to ensure that freedom camping is managed through the summer seasonal period (in lieu of a bylaw) and is unique as we do not have this arrangement anywhere else across our coastline.

Several further hui and engagements, as listed below, were hosted to discuss with community and community representatives across the District, before and after the draft statement of proposal was adopted.

- Kaitiaki Hui, 17th August 2023
- Kaitiaki Hui, 23rd August 2023
- Mana whenua, 24th August 2023 (Teams)
- Mana whenua, 1st September 2023 – group email with draft statement of proposal.
- Purerere Campground, 25th September.
- Waipawa Campground, 26th September.
- New Zealand Motor Caravan association – 4th and 9th October.
- Purerere Camping Committee, 11th October 2023.
- Mana whenua, 19th October 2023 – additional group email adoption of draft statement of proposal.
- Kairakau Lands Trust committee Chair, 25th October 2023.
- Waipawa Rugby Club, 10th November 2023.
- Takapau Rugby Club, 10th November 2023.
- Purerere Camping Committee, 16th November 2023.
- Te Paerahi Community, 20th November 2023.
- Kairakau Development Society, 27th January 2024.

A period of public consultation on the statement of proposal adopted by Council started on 20 October 2023, and concluded on 31 January 2024. A total of 533 submissions were received over this period. These submissions can be found in **Attachment 3**. Since the close of submissions officers have been analysing the submissions received as well as preparing draft recommendations. A summary of submissions can be found in **Attachment 4**.

As per the special consultative procedure in the Local Government Act 2002, Council must provide an opportunity for submitters to present their views to Council in a manner that enables spoken interaction between the person and the local authority. Any person who wishes to present their views must be given a reasonable opportunity to do so, and is informed about how and when they may take up that opportunity.

At the time of writing, a total of 13 submitters have confirmed their continued willingness to speak to their submission. A Schedule of hearings can be found in **Attachment 5**, and a copy of the written submissions from those submitters can be found at the bottom of **Attachment 2**.

Today's hearings marks an important step in the development of the Bylaw, ahead of the next steps being the confirmation of recommendations by Officers for Council to deliberate on anticipated at this time for the meeting of 27 June 2024.



## **IMPLICATIONS ASSESSMENT**

This report confirms that the matter concerned has no particular implications and has been dealt with in accordance with the Local Government Act 2002. Specifically:

- Council staff have delegated authority for any decisions made.
- Council staff have identified and assessed all reasonably practicable options for addressing the matter and considered the views and preferences of any interested or affected persons (including Māori), in proportion to the significance of the matter.
- Any decisions made will be in conjunction with the section 11 of the Freedom Camping Act and Sections 83 and 86 of the Local Government Act 2002.

## **NEXT STEPS**

Following this meeting, officers will finalise their recommendations based on the feedback heard in written and oral submissions, and prepare deliberations reports across the different topics contained in the bylaw.

It is intended that Council will then, at its meeting on 27 June 2024, receive officers' recommendations and deliberate on the submissions received, before making final decisions on a Freedom Camping Bylaw.

## **RECOMMENDATION**

- 1. That the submissions on the Proposed Freedom Camping Bylaw be received.**
- 2. That Council thanks submitters for taking the time to provide feedback on the proposed Freedom Camping Bylaw and thank them for their submissions.**

**43 CHIEF EXECUTIVE REPORT**

No reports.

**9 DATE OF NEXT MEETING****RECOMMENDATION**

THAT THE NEXT MEETING OF THE CENTRAL HAWKE'S BAY DISTRICT COUNCIL BE HELD ON 27 JUNE 2024.

**10 PUBLIC EXCLUDED BUSINESS****RESOLUTION TO EXCLUDE THE PUBLIC****RECOMMENDATION**

That the public be excluded from the following parts of the proceedings of this meeting.

The general subject matter of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48 of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under section 48 for the passing of this resolution</b>
<b>10.1 - Public Excluded Resolution Monitoring Report</b>	<p>s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p> <p>s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
<b>10.2 - Three Waters Consultant Panel Procurement</b>	s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good

	<p>unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p> <p>s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	<p>reason for withholding would exist under section 6 or section 7</p>
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**11 TIME OF CLOSURE**